THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4054 of 2007

22.8.2007

Between:
Yelamarthi Krishna Mohan, S/o.Venkata Rao

…Petitioner

And

The District Collector, West Godavari District, at Eluru
And others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4054 of 2007

ORDER:

Petitioner is owner of land admeasuring Acs.5.00 in R.S.No.60 situated at Perugugudem Gram Panchayat of Denduluru Mandal in West Godavari District. He is allegedly owner of a site admeasuring 350 Sq.yards in R.S.No.64 towards north of petition schedule land. It appears that there is a cart track and an irrigation channel in R.S.No.62, which are being used by the petitioner. When respondents proposed to assign the land in R.S.No.62 classified as cart poramboke, he filed the instant writ petition seeking a writ of Mandamus declaring the action of the respondents in converting the cart track into house site as illegal and arbitrary.

At the stage of admission itself, learned Assistant Government Pleader for Revenue (Assignment), after obtaining instructions, submits that there is no proposal to acquire the land of the petitioner for providing house sites. Insofar as cart track is concerned, he submits that out of total extent of Acs.1.54 in R.S.No.62, an extent of Acs.0.43 was earmarked and assigned to eight persons as house sites and remaining extent of land in R.S.No.62 is retained as cart track and in view of this, this Court observes that the respondents shall not take any further steps to assign the cart track which appears to be passage for the petitioners to go to their lands.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO, J**)

August 22, 2007
YS